

## Mieles, Janette

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**From:** McDermott, Elizabeth  
**Sent:** Thursday, November 01, 2018 11:41 AM  
**To:** Mcchesney, Dennis  
**Subject:** FW: SPA package record retention

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dennis,  
I asked Kathy for her advice on the records question. She strongly advises that regardless of the records schedule you treat SPA records as permanent records – see her reasoning below.  
Liz

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**From:** Nam, Katherine  
**Sent:** Thursday, November 01, 2018 11:28 AM  
**To:** McDermott, Elizabeth  
**Subject:** RE: SPA package record retention

Liz –

We would have to find an EPA records specialist in the EPA Records Retention Office (wherever that is, and whoever it may be) to get the definitive answer in terms of the specific Records Schedule for UST SPA application packages and related documents.

I do not think that it would be worth your while to track all that down because I have a practical answer, that I highly recommend to all the Regions.

I suggest that Region 2, and all Regions, keep the SPA application package and related documents permanently, as permanent records. And I wouldn't be surprised if the records retention schedule could very well say the same.

Regardless of what the schedule says or could say, I think that permanent retention makes sense. EPA Regions would want to hold on to these records, including copies of the state laws and regulations, so that everyone knows exactly which state laws and regs EPA were in effect at the time that EPA approved the state. This information becomes especially important in enforcement situations when EPA or states need to know which EPA—approved state regs applied at the time of any alleged violation. EPA especially would not know – since we do not have ready access to all state laws and records at all times, especially if they are old and subsequently revised and no longer current – unless we have that hard copy.

That is my practical and strong recommendation. I checked in with Wayne Roepe about what they do on the RCRA Subtitle C state authorization side, and he very strongly agrees with this recommendation of permanent retention.

Kathy

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**From:** McDermott, Elizabeth  
**Sent:** Tuesday, October 30, 2018 2:31 PM  
**To:** Nam, Katherine <[nam.katherine@epa.gov](mailto:nam.katherine@epa.gov)>  
**Subject:** FW: SPA package record retention

Kathy,  
Is there any chance you know how I could find out how long SPA packages must be retained in the regions for records?  
Thanks,  
Liz

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**From:** Mcchesney, Dennis  
**Sent:** Tuesday, October 30, 2018 1:47 PM  
**To:** McDermott, Elizabeth <[McDermott.Elizabeth@epa.gov](mailto:McDermott.Elizabeth@epa.gov)>  
**Subject:** SPA package record retention

Liz – do you know how long SPA packages must be retained?

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